

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**EDWARD CHRISTOPHER GALKA,**

**Plaintiff(s),**

**CASE NUMBER: 07-13764**

**HONORABLE VICTORIA A. ROBERTS**

**v.**

**PATRICIA CARUSO, et al.,**

**Defendant(s).**

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**ORDER**

This matter is before the Court on Plaintiff Edward Christopher Galka's Motion for Appointment of Counsel and 120 Day Continuance on Defendants' 56B Motion for Summary Judgment.

Plaintiff is a *pro se* inmate. He alleges that Defendants Printes Shipp and Malissa Clark engaged in various acts of harassment against him in violation of several state and federal laws. On February 11, 2008, Defendants filed a Motion for Summary Judgment on all of Plaintiff's claims. Plaintiff requests appointment of counsel and a 120 day continuance to respond to Defendants' motion. Plaintiff contends that he has a constitutional right to counsel and that he needs legal assistance because of his limited resources and the complexity of the issues.

Plaintiff does not have a constitutional right to appoint of counsel in a civil case. The Court may, but is not obligated to, appoint counsel for indigent inmates in civil actions. *Willett v Wells*, 469 F.Supp. 748, 751 (D.C. Tenn. 1977). Such appointments

are only justified in exceptional cases. *Id*; *Smith v ABN AMRO Mortgage Group, Inc.*, 2007 W.L. 950334, \*13 (S.D. Ohio 2007).

The Court is not persuaded that this is an exceptional case. Defendant's request for appointment of counsel is **DENIED**. But, Plaintiff's request for a continuance is **GRANTED IN PART**. Plaintiff's Response to Defendants' Motion for Summary Judgment must be filed by May 5, 2008.

**IT IS ORDERED.**

**S/Victoria A. Roberts**  
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**Victoria A. Roberts**  
**United States District Judge**

**Dated: March 7, 2008**

The undersigned certifies that a copy of this document was served on the attorneys of record and pro se plaintiff by electronic means or U.S. Mail on March 7, 2008.

**s/Carol A. Pinegar**  
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**Deputy Clerk**